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REMARKS

The examiner has objected to the Abstract and accordingly the Abstract has been amended to satisfy the examiner's requirements. Claims 1-10, 15-21, and 23 have been rejected under § 112, while all of the claims have been rejected under § 102 or § 103 based on the teachings in the patents of Hoffmann et al., the British patent to Cooper '532 and the patent to Urlacher.

The Urlacher reference was cited for disclosing the use of a spline roller for inserting a flexible spline into a groove in a frame. The Hoffmann et al. patent is the primary reference relied upon by the examiner which is of common ownership with the present application. The Hoffmann et al. reference discloses a bottom rail having characteristics that are quite distinct from the present invention. More specifically, the bottom rail in the Hoffmann et al. patent does not utilize a pair of side walls defining an upper opening there between with inwardly projecting locking shoulders of wedge-shape. Further, the reference does not disclose a tilted crosswise web unless one were to consider the hook shaped arm near the top of the rail as such a cross web but the arm does not interconnect sides of the rail.

The British patent was cited as disclosing a rail having a tilted cross web but in fact the cross web is not tilted but rather simply arcuate and intercepts both sides of the rail at the same elevation.

The claims in the application have been amended to overcome the material noted by the examiner as providing the basis for the rejection under § 112 except with regard to claim 15 and claims 18-21 wherein the examiner has asserted the use of the phrases "or" and "and/or" as being improper rendering the claims vague and indefinite.

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Applicant was unable to locate the phrases mentioned by the examiner in these claims and accordingly these claims have not been amended in response to this rejection. All other bases for the rejection under § 112 are felt to have been overcome with the amendments made to the claims.

With reference first of all to the rejection of claims 1, 5 and 23 under § 102 based on the patent to Hoffmann et al., applicant does not believe the Hoffmann et al. reference fairly anticipates the subject matter of these claims. Note, for example, claim 1 provides for a pair of lengthwise upper locking shoulders that are wedge-shaped and point inwardly of the upper portion of walls and away from the upper opening. As mentioned above, the Hoffmann et al. reference does not utilize a pair of wedge-shaped shoulders to secure the fabric to the rail but rather uses a single wedge-shaped shoulder and opposite that shoulder an in-turned upper portion of a hook-shaped wall. Such an arrangement is quite different than what is claimed. By way of example, the use of a hook-shaped wall in lieu of a wedge-shaped shoulder is not as versatile in that beneath the shoulder of the present invention there can be a space of desired dimension to facilitate mounting of the fabric to the rail. When using a hook-shaped wall, the user is limited to the space defined within the in-turned end of the hook-shaped wall. In applicant's rail, space is provided between the wedge-shaped shoulders and the cross web providing ample space for mounting the fabric to the rail in the various ways illustrated and described in the application which would not necessarily be available with a rail of the type described in the Hoffmann et al. patent. Accordingly, claim 1 is not felt to be anticipated by the Hoffmann et al. patent. Claim 5 is a method for attaching a fabric to a locking shoulder and no method is disclosed in the Hoffmann

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et al. patent, particularly of the specificity defined in claim 5. Also, claim 23 is directed to an apparatus for practicing the method of claim 4 and of course since there is no disclosure in the Hoffmann et al. patent of how to attach the fabric to the rail, there certainly is no disclosure of an apparatus for doing so. Accordingly, for the above-noted reasons, each of claims 1, 5 and 23 are felt to be patentably distinct from the prior art. As such, claims 2 and 3 which are dependant upon claim 1 are felt to be allowable for the same reason.

Claims 1-3, 5 and 23 have been rejected under § 103 as being unpatentable over the British patent to Cooper in view of Hoffmann et al. The Cooper reference is cited as having a lower portion with a lower opening, a pair of lower portion locking shoulders, a tilted cross web, a fabric and a stiffening member. The examiner has noted the Cooper reference does not set forth shoulders of wedge-shaped configuration pointing inwardly and wherein the wall on the first side is above a wall on the other side. He said these shortcomings in the Cooper reference are made up by the teachings in the Hoffmann et al. patent, but applicant disagrees. As mentioned previously, the Hoffmann et al. reference does not disclose shoulders of wedge-shape pointing inwardly from both walls, but rather has one wedge-shaped shoulder and an in-turned upper end of a hook-shaped wall on the opposite side. These differing features distinctly separate the function of the rails and particularly the manner in which fabric can be connected thereto for reasons set forth above. Accordingly, it is not felt claims 1-3, 5 and 23 are fairly rendered obvious by the teachings in the Cooper and Hoffmann et al. patents. Further, claims 1 and 2 have been further characterized by noting the locking shoulders project inwardly from an inner surface of a wall and certainly the hook-shaped wall noted by the

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examiner as being the equivalent of a wedge-shaped shoulder does not satisfy this characteristic so that the claims as amended are even further distinct from the cited art than were the original claims. It should also be noted claim 3 has been amended to more clearly distinguish the present invention from the Cooper patent. The Cooper device has a cross web of arcuate configuration but is not tilted so as to intercept opposite side walls at different elevations. Claim 3 now states that the cross web is tilted so as to intercept one of the walls at a higher elevation than the other of the walls. Claims 5 and 23 are felt to be patentably distinct from the Cooper and Hoffmann et al. references for the same reasons mentioned above with regard to claims 1, 5 and 23.

Claims 4 and 6-22 have been rejected under § 103 as being unpatentable under Cooper in view of Hoffmann et al. and further in view of Urlacher. Each of these claims is directed to a method for attaching a fabric to a locking shoulder within an elongate hollow rail for a fabric covering for an architectural opening and none of the cited referenced disclose a method for attaching a fabric to a rail as described. Accordingly, there can be no suggestion in any of the references of the steps specifically defined in these claims other than the concept of using an inserting wheel. Accordingly, there being no basis at all for the rejection of these claims, as there is no teaching or suggestion in any of the cited references that even remotely comes close to rendering obvious the steps defined in these claims.

For the aforementioned reasons, it is believed each of the claims in the application in its amended form is now clearly patentably distinct from the prior art and there are no remaining issues with regard to the rejection of the claims under § 112. Since there

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have been no objections to the specification and the claims are all felt to be in allowable form, allowance of this application is courteously requested.

Dated this 23rd day of December 2004.

Respectfully submitted,



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